

Exhibit A

STUDENTS FOR FAIR ADMISSIONS, INC. vs. THE UNIVERSITY OF NORTH CAROLINA
30(b)(6) Edward Blum on 05/12/2017

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
3 CASE NO.: 1:14-CV-954

4 STUDENTS FOR FAIR ADMISSIONS, :
5 INC., :
6 Plaintiff, :
7 v. :
8 THE UNIVERSITY OF NORTH :
9 CAROLINA AT CHAPEL HILL, :
10 et al., :
11 Defendants. :
12 -----X

13 SUBJECT TO CONFIDENTIALITY AND PROTECTIVE ORDER

14
15
16 DEPOSITION OF EDWARD BLUM, INDIVIDUALLY
17 AND AS THE RULE 30(B)(6) DESIGNEE OF
18 STUDENTS FOR FAIR ADMISSIONS, INC.
(Taken by Defendants)
19 Charlotte, North Carolina
20 May 12, 2017

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22
23
24 Reported by: Dayna H. Lowe
25 Court Reporter
Notary Public

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1 BY MR. SCUDDER:

2 Q. Okay. So POFR, as I understand it from your
3 testimony, is a litigation facilitator or advocacy firm
4 or advocacy organization that funds litigation and
5 litigation advocacy related activities, and the one
6 organization, at least at the time that the tax document
7 was current, that you can recall the organization
8 funding was Students for Fair Admissions?

9 MR. STRAWBRIDGE: Object to the form of the
10 question.

11 BY MR. SCUDDER:

12 Q. Is that --

13 A. That's correct.

14 Q. That's correct? Okay. Who formed -- let's
15 move away from Project on Fair Representation and talk
16 about Students for Fair Admissions. When was it formed?

17 A. There was an informal group of individuals who
18 collaborated I would say in perhaps late 2013, and the
19 formal organization itself began in early 2014.

20 Q. When you say "formal," by incorporating and
21 becoming a formal organization in that way, or in some
22 other way?

23 A. No. I can't recall the exact dates of our
24 incorporation, but we started adding members to Students
25 for Fair Admissions in early 2014.

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1 Q. Okay. Let's go to the very beginning of the
2 origination, that late 2013 time and that informal
3 collaboration of individuals as you described. Can you
4 tell me how that came to be that individuals came
5 together and were collaborating about formation of a new
6 organization?

7 MR. STRAWBRIDGE: And I just caution the
8 witness, in answering this question please do not
9 disclose the identities of anybody involved in the
10 creation of SFFA, except to the extent that they are
11 publicly known or have been disclosed in this
12 litigation.

13 A. When the Supreme Court granted cert in Fisher
14 One, a number of us started having conversations about
15 the benefit of a membership organization that -- whose
16 mission would be to oppose the use of race and ethnicity
17 in the admissions process.

18 BY MR. SCUDDER:

19 Q. And you put that in the summer of 2013?

20 A. Yeah, kind of summer-fall of 2013, somewhere
21 in through there.

22 Q. Okay. And can you describe the -- at that
23 point it sounded like a concept. Is that --

24 A. It was a concept.

25 Q. Okay. And the concept again was?

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1 A. Was advocacy organizations have power when
2 they have members. The efforts to end race-based
3 classifications and preferences in public policy had no
4 membership organization. There were legal defense
5 foundations that litigated those issues, there were one
6 or two small think tanks that concentrated on those
7 issues, but no membership organization where people
8 could say I am a member of this group, much like I would
9 be a member of the Sierra Club or the ACLU, and I
10 joined, and that was not -- there was no organization
11 dedicated to that purpose.

12 Q. So the organization -- so Students for Fair
13 Admissions came together in that spirit of being a new
14 membership organization as you describe it?

15 A. Correct.

16 Q. And did you feel that was important?

17 A. Yes.

18 Q. And why?

19 A. Membership organizations have a source of
20 energy that think tanks and legal advocacy groups just
21 simply don't have. To grow a membership organization
22 dedicated to a purpose, whether it's the environment or,
23 I don't know, economic issues, civil rights issues, that
24 membership organization has, I believe, a more effective
25 role in advocating legal and public policy outcomes.

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1 MR. STRAWBRIDGE: Object to the form of the
2 question. You're not calling for any specific action?

3 MR. SCUDDER: No. I can make clear, I'm not
4 intending with any question to breach the agreement that
5 we reached coming into today.

6 MR. STRAWBRIDGE: And I'm not suggesting that
7 you are, Counsel. I just want to make sure the witness
8 understands.

9 MR. SCUDDER: I understand.

10 A. We primarily rely on litigation to achieve our
11 mission.

12 BY MR. SCUDDER:

13 Q. Okay. And do you rely upon anything
14 secondarily to achieve your mission?

15 A. Advocacy. Yes, advocacy and -- yes. Just
16 call it advocacy.

17 Q. And when you say "advocacy," what do you mean
18 by advocacy?

19 A. Educate the American public about the unfair
20 and unconstitutional uses of race by educational
21 institutions in their admissions policies.

22 Q. And with respect to the advocacy prong of the
23 mission or that aspect of the mission, how do you go
24 about pursuing those educational efforts?

25 A. Speeches, debates, forums, one-on-one

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1 outreach, media communications. I guess that's about
2 it.

3 Q. And who on behalf of the organization engages
4 in that set of activities that you just described?

5 A. I do, counsel, and occasionally a friend and
6 ally and a member.

7 Q. Okay. When you say "friend and ally,"
8 meaning -- I'm not asking you to identify the person --

9 A. Right.

10 Q. -- but a non-director?

11 A. Correct.

12 Q. And a non-member?

13 A. I think everyone we have asked to advocate on
14 behalf of Students for Fair Admissions in a public
15 setting has been a member, but I can't swear to that.

16 Q. Okay. Understood. The debates, speeches, and
17 the like that you have participated in, can you give me
18 a ballpark of how many times you've done that since the
19 formation of the organization?

20 A. So would you clarify your question? Does that
21 include media contact as well?

22 Q. Let's leave media contact out.

23 A. Okay.

24 Q. Okay? So speeches and the participation in
25 forum discussions. I don't know how else you'd

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1 A. We thought that initially we didn't want to
2 have any barriers for an individual to join our
3 organization, and once we had achieved this sort of
4 critical mass of 20,000 individuals, we felt a modest
5 lifetime \$10 membership fee was in order.

6 Q. Okay. So the \$10 is, just as it says,
7 literally a one-time assessment?

8 A. Correct.

9 Q. Can, pursuant to that resolution, an
10 individual join without paying the membership fee?

11 A. Yes.

12 Q. And how does that happen?

13 A. Joining Students for Fair Admissions typically
14 took place on our website.

15 Q. For example -- let me make it more concrete.
16 Could an individual this afternoon join the
17 organization, say I'd love to be a member, I'm without
18 the means of paying the \$10 one-time assessment, but I'd
19 like to join?

20 A. We would take that under consideration.

21 Q. And are there to your knowledge today -- I'm
22 not asking you to identify people -- are there members
23 that make up part of the approximate 21,500 that have
24 not paid the one-time assessment?

25 A. Of the 21,000?